

Serial No. 10/510,313
Atty. Doc. No. 2002P03971WOUS

REMARKS

Claims 8-15, 17-23 and 25-28 are pending in this application. Claims 8-15, 20-23, and 25-28 are rejected under 35 USC 102(b) as being anticipated by Kuchlin et al. Claims 8-15 and 17-19 are rejected under 35 USC 102(b) as being anticipated by WO 02/23290. Claims 17-19 are rejected under 35 USC 103(a) as being unpatentable over Kuchlin et al. as applied to claims 9, 11, and 13 above, and further in view of WO 02/23290. Claims 20-23 and 25-28 are rejected under 35 USC 103(a) as being unpatentable over WO 02/23290 as applied to claims 8, 9, 11, and 13 above, and further in view of Kuchlin et al.

Claims 1-16, 18-19 and 21-27 have been cancelled. Claims 17, 20 and 28 have been amended and are presented for consideration herein. It is respectfully requested that the present amendment be entered since it either places the claims in form ready for allowance, or, in the alternative, in better form for consideration upon appeal. More particularly, entry of the amendment would simplify issues in the event an appeal were to become necessary since a substantial number of rejected claims would no longer be present. See M.P.E.P 714.13 III.

Claim 28 is directed to a production machine including a computer operating system in a computer having a real-time reaction capability. Claim 28 in part recites a web server kernel installed on the computer operating system for data communication with a network. The web server kernel includes a standardized interface for software extension modules. A machine process control module is installed on the web server kernel via the standardized extension interface. More particularly, the machine process control module is directly configured by the web server kernel unassisted by an external entity.

The Office Action states in the *Response to Arguments* that the claimed "process control module" corresponds to the *RobotBody* body object attached to the server of Kuchlin. However, applicant respectfully notes that this body object specifically requires an instance of the robot control application on the client side. See Kuchlin, at 3rd paragraph of section 4.2.3. See also

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opening paragraph of section 4.3 of Kuchlin that expressly describes the need to create an instance of the *RobotProxy* on the client side. None of this is applicable to the claimed invention where the machine process control module is directly configured by the web server kernel unassisted by an external control entity, such as an instance of the robot control application on the client side. In view of the foregoing remarks, it is respectfully submitted that Kuchlin fails to describe the structural and/or operational relationships set forth in claim 28. Consequently, Kuchlin fails to anticipate claim 28 under the §102 statutory requirements and this rejection should be withdrawn.

Regarding the rejection of claim 28 based on the combination of WO 02/23290 (hereinafter '290) and Kuchlin, applicant respectfully notes that the '290 reference fails to remedy the deficiencies of Kuchlin discussed above. Moreover, it appears that the control system 13 of the '290 reference is installed on the machine 10 to be controlled, which is directly inapposite to the claimed invention. (See the abstract and the accompanying figure of the '290 reference). Consequently, the combination of the '290 reference and Kuchlin fails to constitute a *prima facie* combination of references under the §103 statutory requirements and this rejection should be withdrawn.

Claims 17 and 20, as amended, depend from claim 28 and thus incorporate the structural and/or operational relationships set forth in claim 28 plus their own recitations. It is respectfully submitted that Kuchlin and the '290 reference also fail to anticipate or otherwise render unpatentable claims 17 and 20 and these rejections should be withdrawn.

It is respectfully submitted that each of the claims pending in this amended application recites patentable subject matter and it is further submitted that such claims comply with all statutory requirements and thus each of such claims should be allowed.

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Conclusion

The commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, including the fees specified in 37 C.F.R. §§ 1.16 (c), 1.17(a)(1) and 1.20(d), or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

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